

1 David J. Burman (admitted *pro hac vice*)
2 Cori G. Moore (admitted *pro hac vice*)
3 Eric J. Weiss (admitted *pro hac vice*)
4 Nicholas H. Hesterberg (admitted *pro hac vice*)
5 Steven D. Merriman (admitted *pro hac vice*)
6 **PERKINS COIE LLP**
7 1201 Third Avenue, Suite 4900
8 Seattle, WA 98101-3099
9 Telephone: 206.359.8000
10 Facsimile: 206.359.9000

11 Joren Bass, State Bar No. 208143
12 JBass@perkinscoie.com
13 **PERKINS COIE LLP**
14 Four Embarcadero Center, Suite 2400
15 San Francisco, CA 94111-4131
16 Telephone: 415.344.7120
17 Facsimile: 415.344.7320

18 *Attorneys for Plaintiff*
19 *Costco Wholesale Corporation*

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 IN RE: CATHODE RAY TUBE (CRT)
24 ANTITRUST LITIGATION

25 Case No. 3:07-cv-05944-SC
26 MDL NO. 1917

27 This Document Relates to:

28 Individual Case No.: 3:11-CV-06397-SC

Case No. 3:11-06397-SC
COSTCO WHOLESALE CORPORATION,
Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER REGARDING CHUNGHWA'S
PARTICIPATION IN
PRETRIAL PROCEEDINGS**

v.

HITACHI LTD., et al.,

Defendants.

1
2 Plaintiff Costco Wholesale Corporation ("Costco") and Defendant Chunghwa Picture
3 Tubes, Ltd. ("Chunghwa"), by their respective attorneys hereby stipulate and agree as follows:

4 1. Costco and Chunghwa have entered into a comprehensive written settlement
5 agreement calling for, among other things, dismissal of Costco's individual action,
6 3:11-cv-06397-SC, as to Chunghwa.
7
8 2. The Settlement Agreement provides that Chunghwa will fulfill certain terms.
9
10 3. Costco's individual action will be dismissed with prejudice as to Chunghwa upon
11 fulfillment of the terms of the Settlement Agreement.
12
13 4. This stipulation does not affect the rights or claims of Costco against any other
14 defendant or alleged co-conspirator in this litigation.

15
16 5. WHEREFORE, IT IS HEREBY STIPULATED that Chunghwa will not
17 participate in further pretrial proceedings in Costco's individual action, 3:11-cv-06397-SC, as
18 long as it fulfills the terms of the Settlement Agreement.

19
20 DATED: September 24, 2013

21 By: s/ David J. Burman

22 David J. Burman (*pro hac vice*)
Cori G. Moore (*pro hac vice*)
Steven D. Merriman (*pro hac vice*)
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101
(206) 359-8000
DBurman@perkinscoie.com
CGMoore@perkinscoie.com
SMerriman@perkinscoie.com

23
24 Attorneys for Plaintiff
25 Costco Wholesale Corporation

By: s/ Rachel S. Brass
Joel S. Sanders, SBN 107234
Rachel S. Brass, SBN 219301
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-2933
Telephone: (415) 393-8200
Facsimile: (415) 393-8306
E-mail: JSanders@gibsondunn.com
RBrass@gibsondunn.com

Attorneys for Defendant Chunghwa Picture Tubes, Ltd.

Pursuant to Local Rule 5-1(i), the filer attests that the concurrence in the filing of this document has been obtained from each of the above signatories.

1 **IT IS SO ORDERED.**
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

DATED: _____

The Honorable Samuel Conti
United States District Judge

CERTIFICATE OF SERVICE

I certify that on September 24, 2013, I electronically filed the foregoing Stipulation and [Proposed] Order Regarding Chunghwa's Participation in Pretrial Proceedings with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 24th day of September, 2013.

s/Steven D. Merriman

Steven D. Merriman (*pro hac vice*)
SMerriman@perkinscoie.com

Perkins Coie LLP

1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Attorney for Plaintiff
Costco Wholesale Corporation